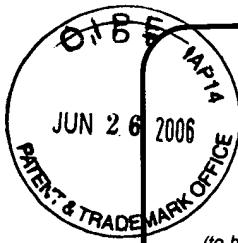


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Total Number of Pages in This Submission

Application Number	10/525,479
Filing Date	February 8, 2005
First Named Inventor	Brian Warner
Art Unit	1637
Examiner Name	Stephanie K. Mumment
Total Number of Pages in This Submission	Attorney Docket Number
	BAYE0001-101

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/-Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Forms PTO SB/08A and SB/08B (2pp.); (21) References Cited, (13) References Submitted.
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm	Cozen O'Connor		
Signature			
Printed Name	Mark DeLuca		
Date	June 2006	Reg. No.	33,229

CERTIFICATE OF TRANSMISSION/MAILING

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Signature	
Typed or printed name	Mark DeLuca
Date	June 27 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of: Brian Warner et al.

Serial No.: 10/525,479

Group Art Unit: 1637

Filing Date: December 8, 2005

Examiner: Stephanie K. Mummert

For: Solid Phase Based Nucleic Acid Assays Combining High Affinity and High Specificity

I certify that this correspondence is being deposited with the U.S. Postal Service as First Class mail in an envelope addressed to the Commissioner for Patents, PO Box 1450, Alexandria, VA, 22313-1450.

On Jun 23 2006

Mark DeLuca
Mark DeLuca, Registration No. 33,229

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. §§ 1.56 and in accordance with 37 C.F.R. §§ 1.97 and 1.98, information relating to the above-identified application is hereby disclosed, the Examiner in charge of the above-identified application is requested to consider and make of record the references listed on the PTO Forms SB/08A and SB/08B, formerly known as PTO Form 1449 submitted herewith.

Inclusion of the information submitted herewith is not to be construed as an admission that the information is material as that term is defined in 37 C.F.R. § 1.56(b).

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

This Information Disclosure Statement is being filed:

- within three months of the filing date of the patent application.
- within three months of the date of entry into the national stage as set forth in 37 C.F.R. § 1.491 of the international application.

- before the mailing date of a first Office Action on the merits.
- after the mailing date of a first Office Action on the merits, but before the mailing date of a Final Office Action under 37 C.F.R. § 1.116 or a Notice of Allowance under 37 C.F.R. § 1.311, and accordingly is accompanied by:
 - the Statement under 37 C.F.R. § 1.97(e) (see "Statement" below);
or
 - the Fee of \$180.00 set forth in 37 C.F.R. § 1.17(p); or
 - No fee is owed by the applicant(s).
- In accordance with 37 C.F.R. § 1.129(a), this Information Disclosure Statement is being filed in connection with the first or second After Final Submission, and accordingly is accompanied by the Statement under 37 C.F.R. § 1.97(e) (see "Statement" below) and the fee of \$180.00 as set forth in 37 C.F.R. § 1.17(p), is attached.
- after the mailing date of a Final Office Action under 37 C.F.R. § 1.116 or a Notice of Allowance under 37 C.F.R. § 1.311, but before the payment of the Issue Fee, and accordingly is accompanied by the Statement under 37 C.F.R. § 1.97(e), (see "Statement," and "Fees" below).
- Copies of the references (excluding the U.S. Patent Documents) listed on the attached PTO Forms SB/08a and SB/08b, formerly known as PTO Form 1449, are enclosed.

EXCEPT THAT:

- In view of the voluminous nature of reference @@, and the likelihood that this reference is available to the Examiner, copies are not enclosed herewith.
- In accordance with 37 C.F.R. § 1.98(d), copies of the following references listed on the attached PTO Form SB/08A and PTO Form SB/08B, formerly known as PTO Form 1449 are not enclosed herewith because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application(s) for which a claim for

priority under 35 U.S.C. § 120 have been made in the instant application.

If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

Statement under 37 C.F.R. § 1.97(e)

The undersigned attorney hereby states that each item information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the filing of the Information Disclosure Statement.

Fees

No Fee is owed by the applicant(s).

The Information Disclosure Statement Fee of \$180.00 under 37 C.F.R. § 1.17(p) is enclosed herewith.

Method of Payment of Fees

Attached is a check in the amount of \$_____ This form is submitted in duplicate.

Charge Deposit Account No. 50-1275 in the amount of \$180.00. This form is submitted in duplicate.

Please charge any deficiency or credit any overpayment to Deposit Account 50-1275.

No fee or Statement is required under 37 C.F.R. § 1.97(b).

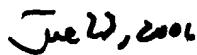
Respectfully submitted,



Mark DeLuca
Registration No. 33,229

Dated:

COZEN O'CONNOR, P.C.
1900 Market Street, 5th Floor
Philadelphia, PA 19103-3508
(215) 665-2000 – Telephone
(215) 665-2013 - Facsimile



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Substitute for form 1449A/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>		Application Number	10/525,479
		Filing Date	December 8, 2005
		First Named Inventor	Brian Warner
		Art Unit	1637
		Examiner Name	Stephanie K. Mummert
Sheet	1	of	2
		Attorney Docket Number	BAYE0001-101 (LeA36219)



INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 3

Complete if Known

Application Number	10/525,479
Filing Date	December 8, 2005
First Named Inventor	Brian Warner
Art Unit	1637
Examiner Name	Stephanie K. Mummert
Attorney Docket Number	BAYE0001-101 (LeA36219)

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

Examiner Signature		Date Considered	
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***EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

place a check mark here if English language Translation is attached.
This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)



Sheet

2

of

2

Complete if Known	
Application Number	10/525,479
Filing Date	August 29, 2003
First Named Inventor	Brian Warner
Group Art Unit	1637
Examiner Name	Stephanie K. Mummert
Attorney Docket Number	BAYE0001-101 (LeA36219)

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	AQ	BEAUCAGE, "Strategies in the preparation of DNA oligonucleotide arrays for diagnostic applications," Curr. Med. Chem. (2001) 8(10):1213-1244.	
	AR	PIRRUNG, "How to make a DNA chip," Angew. Chem. (2002) 114:1326-1341.	
	AS	WANG, "From DNA biosensors to gene chips," Nucleic Acids Res. (2000) 28:3011-3016.	
	AT	KWOK, "Methods for genotyping single nucleotide polymorphisms," Ann. Rev. Genomics Human Genetics (2001) 2:235-258.	
	AU	JAMES and ELLINGTON, "Surprising fidelity of template-directed chemical ligation of oligonucleotides," Chem. Biol. (1997) 4(8):595-605.	

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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